

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Proposed Counsel to the Debtors and Debtors in Possession

In Re:

NEW JERSEY ORTHOPAEDIC INSTITUTE
LLC, et al.

Debtors.

Case No.: 25-11370 (JKS)

Judge: John K. Sherwood

Chapter: 11

APPLICATION FOR RETENTION OF PROFESSIONAL

1. The applicant, New Jersey Orthopaedic Institute, is the (check all that apply):

☐ Trustee: ☐ Chap. 7 ☐ Chap. 11 ☐ Chap. 13.

☒ Debtor: ☒ Chap. 11 ☐ Chap. 13

☐ Official Committee of _____

2. The applicant seeks to retain the following professional Frier Levitt to
serve as (check all that apply):

☐ Attorney for: ☐ Trustee ☐ Debtor-in-Possession

☐ Official Committee of _____

☐ Accountant for: ☐ Trustee ☐ Debtor-in-possession

☐ Official Committee of _____

☐ Other Professional:

☐ Realtor

☐ Appraiser

☒ Special Counsel

☐ Auctioneer

☐ Other (specify): _____

3. The employment of the professional is necessary because:
in addition to the various bankruptcy-related matters the Debtors will face, the Debtors
will need counsel to advise and assist on an assortment of non-bankruptcy matters
and issues that arise.
4. The professional has been selected because:
Frier Levitt has decades of experience in providing corporate and transactional services,
regulatory advice, and litigation support to healthcare clients.
5. The professional services to be rendered are as follows:
legal services including regulatory compliance, third party payer issues, employment
law assistance, contractual assistance, and general corporate law assistance. The
services rendered by Frier Levitt will be strictly related to non-bankruptcy matters and issues that arise.
6. The proposed arrangement for compensation is as follows:
The hourly rate range for attorneys is \$290.00 to \$885.00 per hour and the hourly rate
range for legal assistants is \$165 to \$245.00 per hour.
7. To the best of the applicant's knowledge, the professional's connection with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee, is as follows:
- ☐ None
- ☒ Describe connection: Frier Levitt provided a variety of healthcare and transactional related
services to the Debtors and represented the Debtors in connection to the matter of Anthony Festa, M.D.,
et al v. Vincent McInerney M.D. and the Debtors prior to the bankruptcy filing.

8. To the best of the applicant's knowledge, the professional (check all that apply):

- ☐ does not hold an adverse interest to the estate.
- ☐ does not represent an adverse interest to the estate.
- ☐ is a disinterested person under 11 U.S.C. § 101(14).
- ☒ does not represent or hold any interest adverse to the debtor or the estate with respect to the matter for which he/she will be retained under 11 U.S.C. § 327(e).
- ☐ Other; explain: _____
- _____
- _____

9. If the professional is an auctioneer, appraiser or realtor, the location and description of the property is as follows: _____

The applicant respectfully requests authorization to employ the professional to render services in accordance with this application, with compensation to be paid as an administrative expense in such amounts as the Court may determine and allow.

Date: March 19, 2025

/s/ Kinga Skalska-Dybas, CFO for the Debtors

Signature of Applicant